

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DEMARIO JACKSON,

Plaintiff,

v.

SANDY MCARDLE, GARY BOUGHTON
and JOHN DOE(S),

Defendants.

ORDER

19-cv-674-bbc

Pro se plaintiff Demario Jackson, who is incarcerated at the Wisconsin Secure Program Facility, is proceeding on Eighth Amendment and state law negligence claims that defendants Sandy McArdle and John Doe(s) failed to provide him with adequate pain medication for his gynecomastia. Dkt. #7. On March 26, 2020, I named the warden of the Wisconsin Secure Program Facility, Gary Boughton, as a nominal defendant to accomplish service on the Doe defendants and allow plaintiff to conduct discovery regarding their identities. Dkt. #21. Plaintiff has now identified the Doe defendants and seeks to amend his complaint accordingly. Dkt. #36.

Plaintiff's request to amend his complaint to identify Dr. Ryan Holzmacher, Dr. Scott Hoftiezer, Dr. Gina Buono and Dr. Kelly O'Brien as the Doe defendants will be granted, and these individuals will be added as defendants in this case. Pursuant to the text only order entered on June 19, 2020, dkt. #33, the newly-named defendants shall have 21 days from the date of this order to file a responsive pleading and to file any challenge to plaintiff's exhaustion of administrative remedies. Defendant Boughton will be dismissed.

ORDER

IT IS ORDERED that:

1. Plaintiff Demario Jackson's request to amend his complaint to name Dr. Ryan Holzmacher, Dr. Scott Hoftiezer, Dr. Gina Buono and Dr. Kelly O'Brien as the Doe defendants in this case, dkt. #36, is GRANTED. The clerk of court shall amend the caption accordingly.

2. Defendants Holzmacher, Hoftiezer, Buono and O'Brien will have 21 days from the date of this order in which to answer or otherwise plead to plaintiff's complaint and to file any challenge to plaintiff's exhaustion of administrative remedies.

3. Defendant Gary Boughton is DISMISSED.

Entered this 16th day of July, 2020.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge